REMARKS

Applicants have carefully reviewed the Office Action dated October 10, 2007. Claims 1-17 remain pending in this Application. Reconsideration and favorable action is respectfully requested.

Applicants acknowledge with appreciation the Examiner's indication that the prior rejection of Claims 1 and 14 with respect to 35 U.S.C. § 112 has been withdrawn.

Claims 1-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of *Wang et al.*, U.S. Patent Application Publication No. US 2002/0042736 A1 further in view of *Tso et al.*, U.S. Patent No. 6,892,226 B1. This rejection is respectfully traversed with respect to the claims as currently presented.

The Examiner has utilized *Wang* for the same purpose as previously described. The comments provided in the prior rejection are hereby incorporated into this response. The Examiner has noted, however, that *Wang* does not explicitly disclose certain aspects of claim, specifically the interconnecting, in response to the step of receiving from the intermediate location on the network instructional code and without any intervention at the user location, etc., as set forth in the claims. The Examiner's comments with respect to this lack of support in *Wang* on page 4 of the Office Action are set forth as follows:

> However Wang does not explicitly disclose, interconnecting, in response to the step of receiving from the intermediate location on the network instructional code and without any intervention at the user location, the user's location to the one of the plurality of destination locations across the network in accordance with the network routing information and accordance with the received instructional code such that connection to the one of the plurality of destination locations is controlled by the intermediate location in accordance with the defined association between the representation of the unique information received at the user location and the routing information to the one of the plurality of destination locations on the network.

The Examiner has utilized the *Tso* reference for support of the rejection with respect to this aspect of the claim. The Examiner has specifically referred to Figs. 3-5, column 3, line 35 - column 5, line 11. The Examiner's specific discussion of *Tso* is set forth as follows:

> Tso disclose a dynamic advertising content module in the network device 4, is programmed to control the display of advertising content in the client device 1 *(Figs. 3-5, col. 3, line 35 - col. 5, line 11) for the purpose of providing a more aesthetically-appealing presentation, the client device has no need to be preconfigured with any special software to support the presentation of advertisements (Tso, col. 3, lines 55-61).*

The *Tso* reference is a reference that is directed toward the concept of providing some type of applet on a computer that will somehow provide advertising to the user. The specific implementation requires that there be some type of dynamic advertising module (DAM) either inserted into one or more web pages "requested" by a user or, in another embodiment, embed the DAM into the browser itself. The purpose of the DAM is to distribute dynamic content. This dynamic content is disclosed as follows:

> The same mechanisms and methods described herein may be advantageously applied to applications involving many different types of dynamic content including, but not limited to, subscription services (for example, news, weather, stock quotes), distribution of automatic software updates, or virtually any so-called "out of band" information (that is, information not directly associated with a user request which expects an immediate response, such as a deferred, periodic, or implicit user request). In other words, *"dynamic content" as used herein refers broadly to content that is not specifically requested by a user.* (emphasis added) (column 2, line 65-column 3, line 8)

The particular function of the DAM (9) is "to control the display of advertising content on client device 1." (column 3, lines 48-49).

The portion of the specification referred to by the Examiner is directed toward the concept of embedding the DAM within a web page such that, when a web page is "requested" by a user, the web page is sent to that user in response to the request in accordance with normal TCP/IP request. Coincident therewith, a DAM is embedded within the web page and placed on

the user's computer. In the embodiment of Fig. 5, there is provided a network client (12) that actually "manages the presentation of data to a user." (column 4, lines 9-10). As such, the web page is first requested by the client and, upon receiving the web page with the embedded DAM and installing the DAM, code is executed at the client (12) which then allows the client to control the amount of data that is being received. The way in which this operates is described in the paragraph beginning at column 4, line 23, which describes the network client as being able to communicate with a transcoder to perform the "transcode" operation that constitutes any type of addition, deletion or modification of data transmitted to or from the network client (12) through the transcoding server (34). The actual control of what data is transmitted to the client from the transcoding server (34) is controlled thereby in order to determine what information goes to the network client.

The operation is illustrated in the flow chart of Fig. 2, discussed beginning at column 6, line 63. The operation is that the client requests the web page and, prior to downloading the data object, i.e., the web page, code is embedded into the data object to provide the dynamic advertising content (see step 20 in Fig. 2). This is the DAM (9).

This would be compared with the claim language, which requires that there be received from an intermediate location network instructional code without intervention of the user to allow a connection to one of the plurality of destination locations. This is controlled by the intermediate location in accordance with "the defined association between the representation of the unique information received at the user location and the routing information to the one of the plurality of destination locations on the network." There is no such suggestion in *Tso*, as there is no reason to provide any type of code to the network client. What is provided is a program that, upon executing, can then interact with another device and send requests out for content. The content is not "pushed" to the client device based upon a code being sent to an intermediate location, a comparison being made and then routing information being sent back to the system; rather, an applet is sent that requires an executable to converse with some type of transcoder device to determine where the content comes from. Therefore, it is interaction between the DAM and the transcoder that determines what type of information is sent and not from a comparison. Applicants believe there is no reason to combine the teachings of *Tso* with *Wang*,

as there is no suggestion or motivation to do such. Further, there is no disclosure of any instructional code being sent from a remote location to the user device such that the connection to the destination location is controlled by the intermediate location "in accordance with a defined association" between some representation of unique information sent out to the intermediate location that was received at the user location. The DAM cannot be considered unique information. As such, Applicants believe that the combination of *Tso* and *Wang* does not anticipate or obviate Applicants' present inventive concept, as defined by the currently presented claims. Therefore, Applicants respectfully request withdrawal of the 35 U.S.C. § 103 rejection with respect to Claims 1-17.

Applicants have now made an earnest attempt in order to place this case in condition for allowance. For the reasons stated above, Applicants respectfully request full allowance of the claims as amended. Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/PHLY-24,737 of HOWISON & ARNOTT, L.L.P.

Respectfully submitted,
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